

BUSINESS REPORT

**MONTANA SENATE
61st LEGISLATURE - REGULAR SESSION**

SENATE FISH AND GAME COMMITTEE

Date: Thursday, April 2, 2009
Place: Capitol

Time: 3:00 pm
Room: 422

BILLS and RESOLUTIONS HEARD:

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Add Postponed (PP) when appropriate:

HB 42, HB 585

EXECUTIVE ACTION TAKEN:

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Enter P(pass) F(failed) DPAA (do pass as amended) BC(be concurred in) BCAA (be concurred in as amended):

COMMENTS:

SEN. Gregory D. Barkus, Chairman

MONTANA STATE SENATE
Roll Call
FISH AND GAME COMMITTEE

DATE:

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
SENATOR GREGORY BARKUS, CHAIRMAN		
SENATOR JOHN BRENDEN, VICE CHAIRMAN		
SENATOR JOE BALYEAT		
SENATOR DEBBY BARRETT		
SENATOR STEVE GALLUS		
SENATOR LARRY JENT		
SENATOR TRUDI SCHMIDT		
SENATOR JIM SHOCKLEY		
SENATOR JOSEPH TROPILA		



SENATE STANDING COMMITTEE REPORT

April 3, 2009

Page 1 of 3

Mr. President:

We, your committee on **Fish and Game** recommend that **House Bill 42** (third reading copy -- blue) **be concurred in as amended.**

Signed:

Senator Gregory D. Barkus, Chair

To be carried by Senator Joe Balyeat

And, that such amendments read:

1. Title, page 1, line 9.

Following: "ACCOUNT;"

Insert: "PROVIDING A STATUTORY APPROPRIATION;"

Following: "SECTIONS"

Insert: "17-7-502,"

Following: "87-1-201"

Insert: ", "

2. Title, page 1, line 10.

Strike: "AN"

Strike: "DATE"

Insert: "DATES AND A TERMINATION DATE"

3. Page 1, line 13.

Following: line 12

Insert: "**Section 1.** Section 17-7-502, MCA, is amended to read:

"17-7-502. Statutory appropriations -- definition -- requisites for validity. (1) A statutory appropriation is an appropriation made by permanent law that authorizes spending by a state agency without the need for a biennial legislative appropriation or budget amendment.

(2) Except as provided in subsection (4), to be effective, a statutory appropriation must comply with both of the following provisions:

Committee Vote:

Yes 9, No 0

Fiscal Note Required ☐

JR

(a) The law containing the statutory authority must be listed in subsection (3).

(b) The law or portion of the law making a statutory appropriation must specifically state that a statutory appropriation is made as provided in this section.

(3) The following laws are the only laws containing statutory appropriations: 2-17-105; 5-11-120; 5-11-407; 5-13-403; 7-4-2502; 10-1-1202; 10-1-1303; 10-2-603; 10-3-203; 10-3-310; 10-3-312; 10-3-314; 10-4-301; 15-1-121; 15-1-218; 15-23-706; 15-31-906; 15-35-108; 15-36-332; 15-37-117; 15-39-110; 15-65-121; 15-70-101; 15-70-369; 15-70-601; 16-11-509; 17-3-106; 17-3-212; 17-3-222; 17-3-241; 17-6-101; 17-7-304; 18-11-112; 19-3-319; 19-6-404; 19-6-410; 19-9-702; 19-13-604; 19-17-301; 19-18-512; 19-19-305; 19-19-506; 19-20-604; 19-20-607; 19-21-203; 20-8-107; 20-9-534; 20-9-622; 20-26-1503; 22-3-1004; 23-4-105; 23-4-202; 23-4-204; 23-4-302; 23-4-304; 23-5-306; 23-5-409; 23-5-612; 23-7-301; 23-7-402; 37-43-204; 37-51-501; 39-71-503; 41-5-2011; 42-2-105; 44-1-504; 44-12-206; 44-13-102; 50-4-623; 53-1-109; 53-6-703; 53-24-108; 53-24-206; 60-11-115; 61-3-415; 69-3-870; 75-1-1101; 75-5-1108; 75-6-214; 75-11-313; 76-13-150; 77-1-108; 77-2-362; 80-2-222; 80-4-416; 80-5-510; 80-11-518; 82-11-161; 87-1-513; section 3; 90-1-115; 90-1-205; 90-3-1003; and 90-9-306.

(4) There is a statutory appropriation to pay the principal, interest, premiums, and costs of issuing, paying, and securing all bonds, notes, or other obligations, as due, that have been authorized and issued pursuant to the laws of Montana. Agencies that have entered into agreements authorized by the laws of Montana to pay the state treasurer, for deposit in accordance with 17-2-101 through 17-2-107, as determined by the state treasurer, an amount sufficient to pay the principal and interest as due on the bonds or notes have statutory appropriation authority for the payments.""

Renumber: subsequent sections

4. Page 3, line 14.

Following: "ACCOUNT"

Insert: "are statutorily appropriated, as provided in 17-7-502, to the department and"

5. Page 3, line 15.

Following: "PROVISIONS"

Insert: "of"

6. Page 3, line 16.

Following: line 15

Insert: "NEW SECTION. **Section 4. Forest management account.**

(1) There is a special revenue account called the forest management account to the credit of the department of fish, wildlife, and parks.

(2) The forest management account consists of money deposited into the account from forest management projects undertaken pursuant to 87-1-201(9)(a)(iv) and from any other source. Any interest earned by the account must be deposited into the account.

(3) Except as otherwise directed by state or federal law, funds from the forest management account must be used by the department to implement forest management projects that may result pursuant to the provisions of 87-1-201(9)(a)(iv)."

7. Page 5, line 18.

Strike: "[SECTION 2] IS"

Insert: "[Sections 3 and 4] are"

8. Page 5, line 19.

Strike: "[SECTION 2]"

Insert: "[sections 3 and 4]"

9. Page 5, line 21.

Strike: "DATE"

Insert: "dates"

Following: "DATE."

Insert: "(1)"

Strike: "[THIS ACT]"

Insert: "Except as provided in subsection (2), [this act]"

Following: "2009."

Insert: "(2) [Section 4] is effective July 1, 2013."

10. Page 5, line 22.

Following: line 21

Insert: "NEW SECTION. Section 8. Termination. [Section 3] terminates June 30, 2013."

- END -



SENATE STANDING COMMITTEE REPORT

April 2, 2009

Page 1 of 1

Mr. President:

We, your committee on **Fish and Game** recommend that **House Bill 585** (third reading copy -- blue) **be concurred in.**

Signed:

Senator Gregory D. Barkus, Chair

To be carried by Senator Gregory Barkus

- END -

Committee Vote:

Yes 9, No 0

Fiscal Note Required ☐

HB0585001SC02666.sdr

DR

AUTHORIZED SENATE COMMITTEE PROXY

I request to be excused from FISH & GAME committee because of other commitments. I desire to leave my proxy vote with:

GREG BIRKUS

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT AYE NO

HB42	X	
Amend HB4201-43	X	
HB585	X	
AM Concept		X

BILL/AMENDMENT AYE NO

Sen. John P. Bunker
(Signature)

Date 4/2/09

AUTHORIZED SENATE COMMITTEE PROXY

I request to be excused from FISH & GAME Committee
because of other commitments. I desire to leave my proxy vote with:

SEN. JOE TROPILA

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

~~BILL~~/AMENDMENT

AYE

NO

~~BILL~~/AMENDMENT

AYE

NO

HB42 AMEND	✓	
HB42	✓	
HB 585 AMEND		✓
HB 585	✓	

HB004201 ahs		
GALLUS CONCEPTUAL		

Sen. Schmidt
(Signature)

Date 4/2/09

MONTANA STATE SENATE

Visitors Register

Fish and Game Committee

Date 4-2

Bill No. HB 576 Sponsor(s) Rep. MacIntyre

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

[illegible]

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

MONTANA STATE SENATE

Fish and Game Committee

WITNESS STATEMENT

PLEASE PRINT

NAME Richard E. Steady BILL NO. HB 42

ADDRESS P.O. Box 547
Canyon Creek MT DATE 4-2-09

WHOM DO YOU REPRESENT? 59633 Individual - Self

SUPPORT: ☒ OPPOSE ☐ AMEND ☐

COMMENTS:

SB 107 / SB 113 Fuel Modifications
State Lands

Steady Ranches
Conservation
Easement
Timber
Plan

1) Fire Suppression Intern Committee
Efforts on Fire Suppression Costs
2) Mill Creek Wildlife Management Area
Northwest of Helena - Pine Infestation
3) Steady and Steady Ranches Conservation
Easements - Forest Management Plans
4) School Trust Lands - Active Forest
Management
5) Dying Timber Industry - Struggling
to keep the Mills open
6) Significant Encroachment - Regeneration
Representative Vincent is working very
hard on the Timber Mgt Issue with
his Strong Background. Ask for the
Committee Support on HB 42.

1200
Acres

Richard E. Steady
4-2-09